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April 25, 2002

ELECTRONICALLY FILED

Marlene H. Dortch
Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20054

Re: **Ex Parte Notice – Consolidated Application of EchoStar
Communications Corporation, Hughes Electronics Corporation, and
General Motors Corporation for Authority to Transfer of Control, CS
Docket No. 01-348**

Dear Ms. Dortch:

In accordance with Section 1.1206 of the Commissions Rules, 47 C.F.R. § 1.1206, Applicants General Motors Corporation and Hughes Electronics Corporation (“Hughes”) submit this letter to report that at the Commission’s request, representatives from Hughes had a telephone conference with representatives from the Commission on April 24, 2002. Participants on the call included counsel for Hughes, two DIRECTV employees with responsibility for DIRECTV marketing initiatives, and two economists. The participants from the Commission were Marsha Glauberman of the Media Bureau, Economist C. Anthony Bush of the Office of General Counsel, FCC Chief Economist David Sappington, and Economists Alex Belinfante and Tracy Waldon of the Wireline Competition Bureau.

Participants from the Commission asked a variety of questions concerning DIRECTV’s program package offerings, pricing promotions, installation promotions, and other promotional practices. They also asked whether DIRECTV offers regional programming promotions.

In the process of answering the Commission representatives’ questions, Hughes representatives first noted that there was one additional promotion to be added to the list of promotions submitted in the Hughes Interrogatory Responses. This is a national promotion, offered to consumers across the country, that takes place during the NFL season. For this

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promotion, DIRECTV subscribers are offered the last six weeks of DIRECTV's NFL programming for free upon purchase of DIRECTV service.

During the course of the discussion, Hughes representatives explained that by far the most significant DIRECTV promotions are national consumer offers made available to all consumers, regardless of where the consumer purchases the product. Hughes representatives clarified that DIRECTV does not run regional programming promotions, and explained that the regional promotions in which DIRECTV does participate are generally "gift with purchase" promotions performed in conjunction with retail chains. In these "gift with purchase" promotions, retailers offer customers gifts, such as beach chairs, if they purchase a DIRECTV system, and that the primary benefit to DIRECTV from these regional promotions is the added exposure DIRECTV receives from being included in the retail chains' advertising circulars as a result of those campaigns.

Hughes representatives also confirmed that when DIRECTV runs targeted advertising in a particular geographic region, the national promotions described in the advertisements are nevertheless available to all potential customers nationwide, and that nowhere in the country does DIRECTV vary the price for a particular programming package. Hughes representatives referred Commission representatives to the relevant Hughes Interrogatory submissions explaining the different types of DIRECTV programming packages and prices. Hughes representatives further clarified that potential customers do not need to know about a particular promotion to participate because DIRECTV customer service representatives inform all such potential subscribers of the current promotion when these potential subscribers call to activate their service.

Finally, Hughes representatives touched upon various aspects of how a consumer signs up for DIRECTV service, and the different distribution channels for doing so. DIRECTV committed to supplement the record with additional details on the above issues, as well as certain additional issues raised by the Commission representatives. This submission will be forthcoming shortly. DIRECTV also offered to set up an additional interview regarding hardware and installation issues.

One copy of this *ex parte* notice is being filed electronically with the Commission. If you have questions concerning this meeting or this notice, please do not hesitate to contact the undersigned.

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Respectfully submitted,

/s/ James H. Barker

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